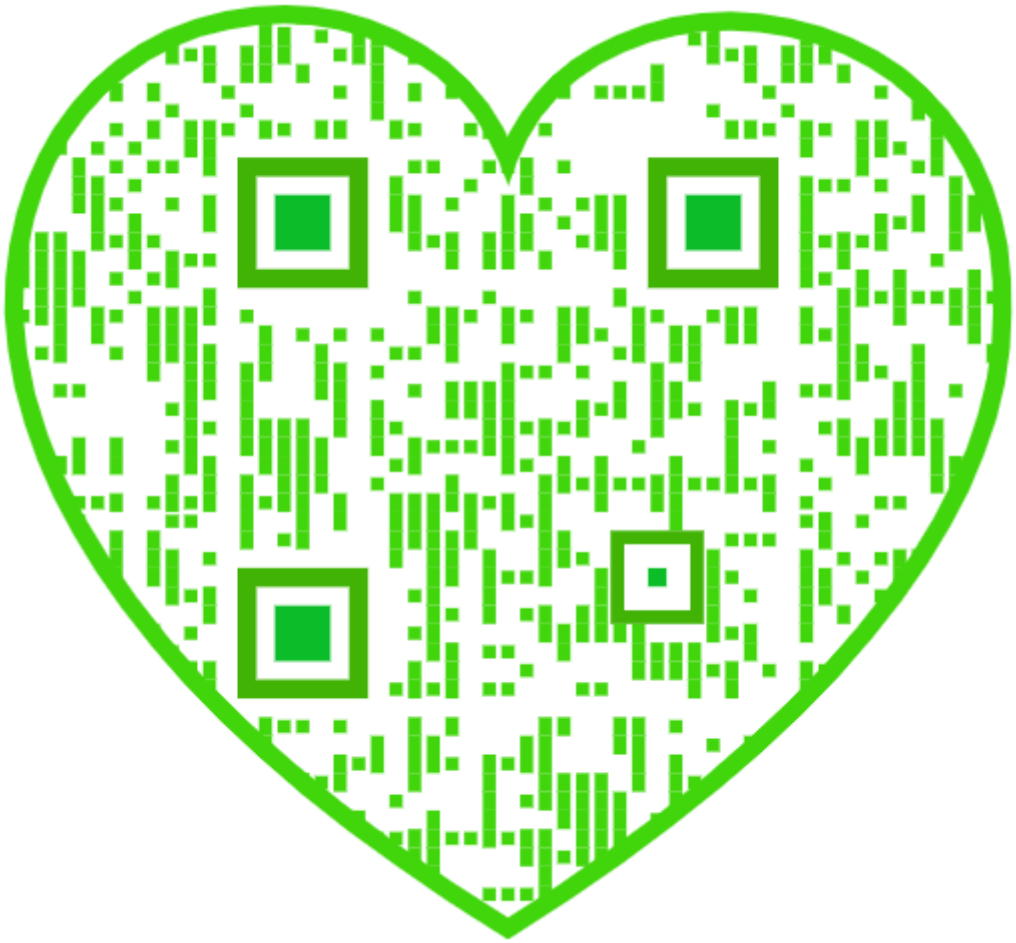

CODE OF ETHICS AND POLICIES

ASSOCIATED BUREAUS

Clerical
Litigation
Adjustment
Inspection
Medical
Safety
Welfare

PITTSBURGH RAILWAYS COMPANY
BEAVER VALLEY TRACTION COMPANY
DUQUESNE LIGHT COMPANY

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CECIL G. RICE
Pittsburgh

Commerce
11-24-44
Transport. Lib.

EXECUTIVE PRONOUNCEMENT

CIRCUMSTANCES surrounding each particular accident readily distinguish it from all others, yet the underlying principles which guide and control the attitude and action of these Associated Bureaus in connection with such occurrences are comparatively few. Being frankly and clearly expressed and discussed herein, it but remains to apply those principles to a constantly differing state of facts.

Proper exemplification of well-recognized principles offers such convincing proof of sincerity and fair dealing as may reasonably be expected to encourage and develop a reciprocal attitude from others.

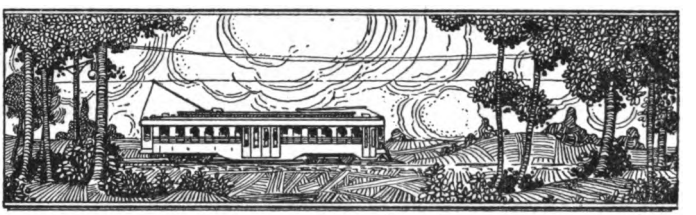
Only such action on the part of Members of these Associated Bureaus as is in complete harmony with the spirit and the letter of this Code of Ethics and Policies will receive official approval.

Sincerely,

Assistant to the President.

Pittsburgh, Pennsylvania
Nineteen Hundred Sixteen

FOREWORD



FOREWORD

THERE is no other endeavor than that arising out of the consideration of claims for injury and damage sustained in connection with electric railway transportation and other public service operations concerning which so little accurate knowledge and so much misinformation is had by the public. Especially does there seem to be a want of quickening consciousness of the moral considerations properly underlying such claims. The learned professions of Medicine and the Law have laid upon them the obligation of probity in all matters touching their relation with those

demands. And finally the practice of these Associated Bureaus must exemplify all those principles the observance of which is asked of others. As expressive of the well-recognized rights and duties of all the parties concerned this Code of Ethics and Policies is presented.

These Associated Bureaus hold in great regard their high calling to be mediator between those who have fallen into suffering and misfortune by reason of accident, on the one hand; and the Companies, in connection with whose properties that may have occurred, on the other. It is earnestly hoped that all such persons will retain in their attitude toward these Associated Bureaus a spirit of amicability and confidence. Toward all such persons these Associated Bureaus will exercise a similar friendly and trustful regard in all of their dealings.

All accidents and resultant injuries are as sincerely regretted by these Companies as by those whom they befall. It is then both harm-

ful and erroneous to harbor a spirit of enmity or prejudice toward the Companies, or these Associated Bureaus, solely because an accident has occurred. It is the desire and intention of these Associated Bureaus that such intercourse as may follow upon the occurrence of an accident shall result in increase of mutual respect and good understanding between all of the parties concerned.

These Associated Bureaus hold as their high moral duty the prevention of accidents, both by anticipatory means and by searching inquiry into accidental occurrences. They seek to effect and maintain relations of fairness and good understanding between the Companies and their patrons generally; and particularly with those persons who have sustained injury or material loss by accident in connection with the Companies' properties; to the end that in these contingencies such action may be taken by the parties concerned as will be just, equitable and mutually satisfactory.

Guiding Principles

Adopted for the guidance and control of all members of the Associated Bureaus in their relations with the business of these Companies

GUIDING PRINCIPLES

MAXIMUM ACCURACY:

Incontrovertible facts unearthed from all available sources.

UTMOST EXPEDIENCY:

The promptest action in accord with propriety and correctness.

ABSOLUTE FAIRNESS:

A fixed, irrevocable policy of dealing with justice to all concerned.

PERSISTENT COURTESY:

Constant politeness combined with kindliness.

MINIMUM CONSISTENT EXPENDITURES:

Disbursements proportionate to all the facts.

PERFECTED CO-OPERATION AND EFFICIENCY:

Working in harmony to produce permanently satisfactory results with the least expenditure of time and effort.

Mode of Procedure

Basis of method for handling the business of these Associated Bureaus in harmony with the Guiding Principles adopted

MODE OF PROCEDURE

OVERCOME PREJUDICE:

Show by logical argument and analogy that which is true and right, and thus conciliate those who prejudge without knowledge of the facts.

INSPIRE CONFIDENCE:

Give life to trust and reliance, causing others to believe in you and realize that you are sincere, honest, and desirous of dealing equitably.

ANALYZE AND REDUCE TO A BUSINESS BASIS:

Separate into component parts and prove by calculation and weight of the evidence the value of what is being purchased.

CREATE A DESIRE:

Bring into existence a longing for the possession of that which will reasonably compensate for the loss sustained, considering the degree of responsibility for such loss.

CAUSE A DETERMINATION:

Bring about a condition of mind that will result in the principal resolving to end the matter at once by exchanging that which he controls for that which you as a representative of these Associated Bureaus possess.

SATISFACTORILY CLOSE THE TRANSACTION:

Relieve the mind of doubt and animus so as to create a feeling of friendliness by having set aright and made amends for possible wrong or unintentional injury done; then only has the matter in hand been successfully terminated.

Fundamental Facts

Suggested for the advantageous consideration and advice of those who have been or may become involved in accidental occurrences.

FUNDAMENTAL FACTS

FIRST: The obligations of passenger transportation or other public service companies to the public do not include insurance against accident without regard to the cause or responsibility for the occurrence. It is therefore erroneous and unjust to assume every person injured in connection with the operations of such companies to be entitled to compensatory damages.

SECOND: If an accident occurs in connection with a street railway company any person involved should not depend entirely upon the conductor or other employee to make a report, but should himself secure the number of the car, or that of the motorman or conductor, the exact location and the exact time.

THIRD: It is a duty of citizenship and in the interest of justice and fairness that such persons as are observers of an accident present their name and address to the employees of the Company involved. Therefore, when requested, the

observer should give properly identified members of these Associated Bureaus an unbiased description of the occurrence. Assurance is given that such proper inquiry as may be made necessary to ascertain additional facts and insure the best interests of all concerned cannot prove embarrassing or annoying. The observer lends himself to possible unfairness unless he or she complies with the duty which social and business citizenship imposes.

FOURTH: Justification for the presentation of a request for reimbursement is found only when the four following interrogatories can truthfully be answered in the affirmative:

Was a duty owed the principal by the Company?

Did the Company fail to perform that duty?

Was the failure to perform the duty owed the proximate cause of an injury or loss to the principal?

Was the principal free from contributory negligence?

FIFTH: If any injury or damage results for which the principal was not to blame and he feels justified in presenting a claim, he should immediately report the details of the occurrence to the Associated Bureaus, together with the names of any other persons having knowledge thereof; and give all possible assistance to such investigation as may be required. No honest person could properly object to a thorough inquiry intended only to establish the facts.

SIXTH: A claim is not a matter of law. It is a simple business proposition and should be presented and handled on the same basis as the presentation of any other alleged indebtedness. Proving a bill for damages resulting from injury should be the same as proving a bill for work done or goods furnished.

SEVENTH: Any legitimate and reasonable claimant can secure proper consideration and final disposition without paying for outside assistance. Since a claim is the same as a bill, it is not good business for a claimant to employ an attorney or to enter into the embarrassment,

delay, and uncertain luxury of a law-suit, without at least, first having properly and frankly presented his claim for damages direct to those he believes to owe him.

EIGHTH: Only two classes of people now find excuse to bring suits for damages against these Companies, viz.:

Persons entitled to something, but who want much more than they are entitled to.

Persons entitled to nothing, but who want something, regardless of their right thereto.

NINTH: Citizens who encourage litigation —whether they be "ambulance chasers," neighborhood gossips, misinformed friends, or persons seeking to profit themselves from another's misfortune—should remember that in so doing they add to their own burden as well as to that of the rest of the community, as the increasing expense of the courts must be borne by the public as a whole.

TENTH: Remember, co-operation is sought to Prevent Accidents to one's self and others by keeping Safety Always in mind.

Reciprocal Responsibilities

Explanatory discussion of the Fundamental Facts suggested for the advantageous consideration and advice of those who have been or may become involved in accidental occurrences.

RECIPROCAL RESPONSIBILITIES

THESE Companies, or these Associated Bureaus, are not alone in the duty to seek to prevent accidents. Inasmuch as any loss or injury by accident occasions a distinct economic loss to the community, it is the duty of, as well as in the interest of, the public to give all possible aid in the prevention of accidents. This can be done by bringing to the knowledge of the Companies any acts or omissions of their agents, or any known condition of their properties or that in use by them, which may result in accident; and by giving freely and truthfully to the agents of the Companies knowledge had of accidents which have occurred.

It is equally the high moral duty of the public when loss or injury has been sustained to be wholly governed by the cardinal principles of honesty and honor in all matters touching such loss or injury.

These Companies should not and cannot be held responsible for the results of accidents due

to the careless or improper acts of the injured or damaged person himself. It is therefore not honorable or honest to seek to enforce upon the Companies monetary reimbursement for the consequences of accidents due to the thoughtlessness of others.

In recognition of the spirit of amicability held toward the public it is but fair and right that any person who, by the third paragraph of the Fundamental Facts proves that the circumstances of an accident entitle him to a hearing by the Company, should communicate immediately with these Associated Bureaus. That is a matter of simple business, requiring no special knowledge or experience. It is entirely unnecessary to invoke the doubtful aid of any person or agent not directly concerned, and to invite the intrusion of such an one can not result with advantage to those who seek only that which is just and equitable.

It is to the best interest of any person seeking an amicable disposition concerning the results of an accident in which he or she has been involved to give to the Company, fully and without reserve, any and all information which may

contribute to a fair and equitable understanding. A legitimate claim will profit by thorough inquiry into the facts. A disposition to conceal the facts savors of deceit and suggests an absence of honesty and honor.

When physical injury has been sustained and the injured person by reason of his freedom from any fault for the occurrence believes himself entitled to monetary reimbursement for its results, it is proper to give the Company all necessary assistance in arriving at an accurate knowledge of the nature and extent of the injury suffered, and the Company is entitled to have its medical representatives visit such person for that purpose.

When it is desired to effect a monetary adjustment of the results of an accident not due to the careless or erroneous acts of the person injured, there is a definite, uniform basis upon which to calculate the sum to be asked. This sum is not properly to be left to the simple desire or covetousness of such person. To seek to make a profit on an accident would be neither fair, rea-

sonable, nor honest. To be unable, or unwilling, to recognize the justice of this principle is to incur a want of that good faith which is eminently necessary to the cordial and satisfactory transaction of business with these Associated Bureaus.

It is to be remarked with gratification that there remain but a comparative few of those who, having somewhat due them, would be resolved to seek from these Companies considerably more than their right; and that fewer still remain of those who, being entitled to no reimbursement, would be determined nevertheless to attempt to profit in a spirit of avarice. Against all such efforts, whether due to the ill-considered counsels of self-seeking advisers or to the improper impulses of the person directly concerned, these Companies must and will continue to present as vigorous and effectual resistance as is their right.

The Medical Profession

Recognition of the members' generous proficiency inspires respect for their ethical tenets and expectation of a reciprocal observance of other ethical procedure

THE MEDICAL PROFESSION

THE high ethical standards adopted by the members of the medical profession, as well as the relations had by these Associated Bureaus with the large majority of those members, justify the assumption that the relation of the physician to his patient will remain solely professional in all cases resulting from injury in connection with the agents or properties of these Companies.

It is not expected that, under any circumstances, the physician will confuse his professional relation with the function of an adjuster of claims. These Associated Bureaus desire of the physician only: that he shall report fully the extent of any injury; that he shall secure to the patient the promptest and most effective recovery possible; and, if he feels justified from his knowledge of the policies and principles which guide these Associated Bureaus, a suggestion to the patient that these Associated Bureaus do deal fairly and openly, and that the patient's interests will best be served by dealing direct, as

he would with any other business matter, rather than to incur the unnecessary expense of unavailing assistance by others.

It is held further that the principles and practices of these Associated Bureaus in relation to claims for injury are consistent with the highest business and professional ethics; and that such admonition from the physician to his patient as is bespoken herein cannot be derogatory to the interest of the patient, nor to that of his physician; but, on the contrary, if sincerely adhered to must redound to the interest of all concerned.

It would appear that a physician administering for the results of accidental injury, and particularly when received under the circumstances contemplated herein, may exercise frequently an influence upon the mind of the patient which will tend toward undelayed restoration to normal mental and physical health. Due regard for the high principles of honor and fairness, as well as for the ultimate physical welfare of the patient, is held to assure that there will be accorded to the patient the most beneficent mental, surgical, or therapeutic treatment that may be available.

The Legal Profession

Insistent belief that legal advice is unnecessary for the satisfactory disposition of business with these Associated Bureaus is not permitted to hinder full observance of the courteous consideration due members of the Bar

THE LEGAL PROFESSION

THESE Associated Bureaus, in their relations with attorneys-at-law, are ever mindful of the pronouncement of the courts, whose officers those attorneys are, that it is a duty of the high calling of the latter to discourage litigation, rather than to overtax the courts with the hearing of issues that well might be adjusted amicably between the parties thereto. It is held further to be in proper conformity with that principle that an attorney representing a party intending to make claim against any of these Companies should give due notice thereof, afford opportunity for unhindered inquiry into the facts, and co-operate in an effort to arrive at an amicable and reasonable disposition in accordance therewith.

It must be held also that the solicitation of a client, whether by the attorney himself or by his agent, trespasses beyond the province of the attorney, and is less unethical only than to furnish funds to a client wherewith to prosecute an

unnecessary legal action, or to sustain himself pending the outcome of such an action.

Manifestly it is improper for the attorney to make demand for monetary reimbursement to his client in a sum evidently and intentionally exorbitant. It were unfair and unjust to base an amicable compromise upon the limit of what might be hoped to be recovered by chance at a remote time.

Contingent fee arrangements between client and attorney based upon intended division in undue and unfair proportions of a settlement, or a verdict, must be held by these Associated Bureaus to be inimical to public policy and tending to defeat justice. Such unusual fee proportions tend to encourage exorbitant demands and the unjustified litigation resulting therefrom; because only persons entitled to something, but who demand much more than that to which they are entitled; or persons entitled to nothing, but who desire something, regardless of their right thereto, now find excuse for bringing suit against these Companies.

Only in the event that an attorney shall so flagrantly violate the ethics of his profession and the approved procedure of the Bar as to solicit a claim, withhold opportunity for proper inquiry and amicable adjustment before instituting needless litigation, or demand manifestly and intentionally exorbitant payment for his client, do these Associated Bureaus reserve the obvious right to protect the interests of the Companies which they serve, by settlement direct with the principal, or other proper action.

These Associated Bureaus are desirous of fair and cordial relations with all those members of the Bar whose professional demeanor is in accordance with the well recognized standards contemplated herein; and to such members of the profession, these Bureaus engage to recognize and treat with solely any such attorney duly retained, if negotiations looking toward an adjustment are desired.

Members of These Associated Bureaus

Exemplification of the spirit and the letter of this Code of Ethics and Policies is effected by executive pronouncement

MEMBERS OF THESE ASSOCIATED BUREAUS

IT is the high calling of these Associated Bureaus, under the general direction of the Assistant to the President and the supervision of his Executive Staff, to attain the maximum of enduring and honorable achievement within the responsibilities imposed upon them by those to whom they are answerable; and to secure to all of the members the fullest personal advantages consistent with the interest and policies of these Associated Bureaus and the Companies generally; to the end that such mutuality of endeavor shall redound to the welfare of the Companies, to the comfort and prosperity of their loyal and efficient servants, and to the satisfaction of those with whom these Associated Bureaus have business relations.

It is, therefore, the first duty of each member to accurately acquaint himself with, and be guided and controlled in all of his actions by, the letter and the spirit of this Code of Ethics and Policies.

Every member is obligated to uphold the honor and dignity of these Associated Bureaus in speech and action; to conform in all respects to this Code of Ethics and Policies; to render complete loyalty to their general director—the Assistant to the President—and the members of his Executive Staff in their official personages; and to entertain that *esprit de corps* which is essential to the perfection of co-operation and efficiency in the business of these Associated Bureaus, and as well to amicable relations with every other member.

It is the fixed policy of these Associated Bureaus, that the selection of members shall be made solely with a view to their physical, mental, and moral capacity as shown by their education, experience, and previous achievement; and that the continuance of their membership in these Associated Bureaus shall be contingent entirely upon loyal and efficient service; and their advancement and preferment therein proportionate only to such qualities of service, in connection with their special fitness therefor by reason of adaptation or term of

service. It is therefore inconsistent with the policies of these Associated Bureaus, and inimical to the principles to which they give adherence, to give, or to be asked to give, any consideration whatsoever to the extraneous incidentals of religion, politics, and influentiality, respecting any application for employment within these Associated Bureaus.

Every member of these Associated Bureaus occupies a fiduciary relation therewith, inasmuch as the responsibilities with which he is charged have to do at all times with determinations upon the matter of disbursements of the Companies' funds. A member's acceptance of this relation of fidelity to the Companies' proper interests imposes upon him the performance of his duties with the strictest regard to the principles of honesty and honor.

The member's acceptance of the fiduciary relation also binds him to the duty of so ordering all the relations of his life that no act of his shall reflect unfavorably upon the interests it is his duty to protect. It is therefore obligatory upon every member of these Associated Bureaus

to enforce upon himself the rule of abstemiousness during the hours he is engaged in the Bureaus' business.

It is correspondingly the duty of each member to discourage on the part of any other member any act or speech in conflict with the standards of these Associated Bureaus, inasmuch as any such discreditable act or speech may impeach all of the member's associates therein as well as himself; such a course also being a presupposed duty to give effect to the Honor System which guides the official direction of these Associated Bureaus.

It is the duty of every member to seek to correct at every opportunity any fallacious views or unjustifiable attitude of the public toward these Companies, and these Associated Bureaus in particular, to the end that most harmonious and satisfactory relations may obtain between all.

It is the duty of every member to render all possible assistance in the prevention of accidents by the suggestion of anticipatory measures; by communication of knowledge of acts, conduct,

or mental or physical condition, of agents of the Companies which may result in accident; and by prompt notification of any condition of the property of the Companies, or that in use by them, which may give rise to accident.

It is a just and honorable conception of the nature of his employment, and his acceptance of it as such is a requisite of his employment, that each member of these Associated Bureaus shall hold as inviolable any and all information of a private or confidential nature respecting the business or affairs of this or any other branch of the Companies, both during the term of his employment therein and when he shall have ceased to be an active associate thereof.

The effort of a member of these Associated Bureaus to procure other employment by which he may increase his personal usefulness as well as his emolument will be regarded as a mark of natural and proper ambition and all such reasonable assistance in his effort be rendered a deserving member as may be consistent with the rights and proper interests of these Associated Bureaus.

It is the pleasure of the Assistant to the President and his Executive Staff to regard as alumni those members of these Associated Bureaus who go out therefrom to other employments, and to such the firm hand of friendliness will be extended at all times and a continuance of relations of mutual helpfulness and esteem be courted.

Other Departments of These Companies

Mutual helpfulness and cordial co-operation freely asked and fully given; to the end that the best interests of all concerned may be secured

OTHER DEPARTMENTS OF THESE COMPANIES

THESE Associated Bureaus have for their principal object, in their relation with other branches of the Companies' service, the diminishing of the number and cost of accidents. In efforts at the accomplishment of that object they contemplate the maximum of mutual helpfulness and cordial co-operation with those other Departments, and bespeak the utmost of sympathetic and efficient response in all of the many affairs in course of development between them and these Associated Bureaus.

The fulfillment of the responsibilities of these Associated Bureaus, as regards their relations with other branches of the Companies' service, being wholly conserving in effect, it would appear to be the proper duty of all employees of the Companies for which these Bureaus act to report through the proper channel any information had which may tend to decrease properly the cost of any accident which has occurred, or may aid in averting other accidents. A loss in

one Department must be reflected ultimately in all.

The high esteem in which other Departments of these Companies and their representatives are held is an additional cause for eager willingness and whole-hearted desire to evidence reciprocal appreciation and cordiality by giving the utmost of co-operative assistance in all matters, routine or exceptional, which these Associated Bureaus may be asked to give consideration.

Similar Organizations of Other Companies

Confidence in the inherent fairness of all those similarly interested prompts offer of co-operative assistance

SIMILAR ORGANIZATIONS OF OTHER COMPANIES

THESE Associated Bureaus entertain an attitude of co-operation and helpfulness toward other organizations similarly interested and, in conformity with the principle that all claims for injury or damage sustained are properly subject to exhaustive inquiry as to the facts involved, will at all times render cheerfully such assistance as may be practicable, and with a degree of enterprise equal to that these Associated Bureaus exercise in their own concerns. The obligation to hold such information in strict confidence upon stipulation is regarded by these Bureaus as inviolable, and similar requirement with regard to information extended to them will be unfailingly respected.

Authorized representatives of other similar organizations desiring to acquaint themselves with the personnel and methods of these Associated Bureaus will be cordially met at all times

and no effort omitted to afford such knowledge thereof as may be desired.

These Associated Bureaus maintain a broad policy of mutual helpfulness and development toward their own members and therefore will be pleased to inform other employers, upon request, of the qualifications of any member of these Associated Bureaus for other employment which would be more advantageous to such member.

Epigrammatic Recapitulation

Sentences intended to accentuate the essential facts discussed in this frank and fair exposition of the heretofore misunderstood business of adjusting for the results of accidental occurrences

EPIGRAMMATIC RECAPITULATION

THE Public, these Companies, and their Employees form a community of interest, each having reciprocal rights and responsibilities.

Exemplification of the spirit and the letter of this Code of Ethics and Policies is effected by executive pronouncement to all members of these Associated Bureaus.

The voluntary adoption of a high standard of action is justification for expecting a corresponding attitude on the part of others.

Guiding Principles, a positive Mode of Procedure and clearly stated Policies guide and control all activities of these Associated Bureaus.

Prevention of accidents is alike a moral, a humane and a public duty owed by all.

All accidents have a cause; ninety per cent. show carelessness on the part of the injured person.

Failure to exercise such ordinary care for one's self as will prevent accidents is not creditable.

Manifestly it is unfair to attempt to excuse one's own carelessness by blaming another.

Only the one who seeks that to which he has no right can find excuse for objecting to the full details of an accidental occurrence being made known to these Associated Bureaus by those having knowledge of the facts.

To advance the best interests of all concerned by recording details of an accidental occurrence one observes is a duty of citizenship involving no embarrassment or annoyance.

The mere fact that a person sustains injury by no means warrants a request for compensatory damages.

Justification for presenting a claim must be based upon the freedom from fault of the person injured and the causal negligence of the person from whom compensation is sought.

Claims are matters of simple business, not matters of law.

A claim for damages is the same as a bill; it is an allegation of indebtedness susceptible of similar itemization and presentation.

The unnecessary employment of another to represent one in so simple a matter as the presentation of a claim indicates business incompetency.

That which would prevent injury is not too much to ask; but after an accident occurs the result resolves itself into a simple business proposition, the basis of which is the determination of who was at fault and the measure of damages actually sustained as a direct result of the occurrence.

If these Companies owe they are not only willing but desirous of canceling the obligation.

Only persons wanting too much, or something to which they have no right, now find excuse for litigation following accidental injury or damage.

To discourage all unnecessary litigation is an economic duty of the public.

Professional solicitors of claims for litigation are a public nuisance. To be solicited by them is a reflection on one's intelligence.

A doctor whose advice is not for the best physical interest of his patient violates the ethics of his respected profession.

An attorney who charges an exorbitant fee for collecting a simple bill for damages is dishonest and his client is foolish.

To give publicity to denunciatory expressions not based upon experience or actual knowledge is dishonest.

The authority to issue instructions includes the obligation to see that they are carried out.

Opportunity for exemplification of adopted policies is a reasonable suggestion.

Confidence begets confidence. These Associated Bureaus have confidence in the inherent reasonableness and honesty of the public.

Remember, co-operation is sought to Prevent Accidents to one's self and others by keeping Safety Always in mind.

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Murdoch, Kerr & Co.
Pittsburgh